

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

JIMMY DAVIS, #51030

PLAINTIFF

VERSUS

CIVIL ACTION NO. 4:07-cv-118-DPJ-JCS

DALE CASKEY and UNKNOWN GRAHAM

DEFENDANTS

ORDER

The Plaintiff, an inmate of the Mississippi Department of Corrections (MDOC), currently incarcerated in the East Mississippi Correctional Facility (EMCF), Meridian, Mississippi, filed this complaint pursuant to 42 U.S.C. § 1983. The named defendants are Dale Caskey, Warden at EMCF; and Unknown Graham, Classification Officer at EMCF. Upon liberal review of the Plaintiff's complaint and response, it is hereby,

ORDERED AND ADJUDGED that the Plaintiff, within 20 days of the date of this order, shall provide this Court with the civil action number of every civil action or appeal which the Plaintiff has had dismissed on the grounds that it is frivolous, malicious or fails to state a claim upon which relief may be granted. Plaintiff shall also provide the name of the court and name(s) of defendant(s) in each civil action identified.

IT IS FURTHER ORDERED that the United States District Clerk is directed to issue summons to Defendant Dale Caskey, requiring a response to the complaints.¹ The Clerk is directed to attach a copy of this Order to each complaint and response [10,12] that will be served on the named Defendants. The United States Marshal shall serve the same pursuant to 28 U.S.C. § 1915(d). Plaintiff is advised that a summons will not be ordered to issue for defendant

¹The Plaintiff has provided the address of EMCF 10641 Hwy 80 West, Meridian, Mississippi 39307, for defendant Caskey.

Unknown Graham. Once the Plaintiff has ascertained the full name and complete mailing address for this defendant, he may file a motion requesting summons to issue for defendant Graham.

IT IS FURTHER ORDERED that the Defendant file his answer or other responsive pleading in this cause in accordance with the *Federal Rules of Civil Procedure* and the Local Rules of this Court.

IT IS FURTHER ORDERED that subpoenas shall not be issued except by order of the Court. The United States District Clerk shall not issue subpoenas upon request of the *pro se* litigant, but shall instead forward the request to the Magistrate Judge assigned to this cause for review. The Plaintiff shall submit all request for the issuance of subpoenas to this office for review.

The Plaintiff should understand that this Order allowing process to issue against the above named Defendant does not reflect any opinion of this Court that the claims contained in the complaint will or will not be determined to be meritorious.

It is the Plaintiff's responsibility to prosecute this case. Failure to advise this Court of a change of address or failure to comply with any Order of this Court will be deemed as a purposeful delay and contumacious act by the Plaintiff and may result in the dismissal of this case.

THIS the 28th day of January, 2008.

s/James C. Sumner
UNITED STATES MAGISTRATE JUDGE